

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

Civil Application No. 3908 of 2007  
in  
First Appeal No. 1072 of 2007

Smt. Vajarabai Narayan Sadaram  
& others

...Applicant

V/s.

The United India Insurance Co. Ltd.  
& anr.

...Respondents

Mr. T.J.Mendon for the Applicant

Ms. S.N.Ghotekar i/b N.G.Ghotekar for Respondent no. 1.

**CORAM:- Anoop V. Mohta, J**

**DATED:- 5th September, 2007.**

**P.C.**

. Considering the averments made and in view of the fact that the applicants are entitled to the amount as awarded in view of the death caused to the deceased, husband of Petitioner no. 1, I am of the view that the Petitioner/applicants are entitled at this stage of the proceedings to withdraw Rs. 3 lacs.

However, the applicant is at liberty to withdraw

Rs.1,50,000/- without security and balance Rs.  
1,50,000/- by furnishing security to the satisfaction  
of the trial Court.

2. As the Respondent Counsel makes statement that  
they may be permitted to deposit the balance amount  
within four weeks, the permission is granted.

3. So far as prayer clause (a) is concerned, it  
is rejected. The other prayer clauses (b)&(c) are  
disposed off in above terms. Civil Application is  
disposed off accordingly with liberty. The appeal is  
expedited.

**(Anoop V. Mohta,J)**